

PARRA VICTOR

PLAINTIFF/PETITIONER/MOVANT'S NAME

P-58682

PRISON NUMBER

Richard J. Donovan Correctional Facility

PLACE OF CONFINEMENT

P.O. Box. 799002

San Diego CA. 92179

ADDRESS

FILED

2008 APR 14 PM 2: 54

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY Rm DEPUTY

NUNC PRO TUNC

APR 10 2008

**United States District Court
Southern District Of California**

PARRA VICTOR

Plaintiff/Petitioner/Movant

v.

TILTON E. JAMES

Defendant/Respondent

Civil No. 08CV0472 J(LSP)
(TO BE FILLED IN BY U.S. DISTRICT COURT CLERK)

**MOTION AND DECLARATION UNDER
PENALTY OF PERJURY IN SUPPORT
OF MOTION TO PROCEED IN FORMA
PAUPERIS**

I, Victor Parra P-58682
declare that I am the Plaintiff/Petitioner/Movant in this case. In support of my request to proceed without prepayment of fees or security under 28 U.S.C. § 1915, I further declare I am unable to pay the fees of this proceeding or give security because of my poverty, and that I believe I am entitled to redress.

In further support of this application, I answer the following question under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No" go to question 2)

If "Yes," state the place of your incarceration Richard J. Donovan Correctional Facility

Are you employed at the institution? ☐ Yes ☒ No

Do you receive any payment from the institution? ☐ Yes ☒ No

[Have the institution fill out the Certificate portion of this affidavit and attach a certified copy of the trust account statement from the institution of your incarceration showing at least the last six months transactions.]

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer. N/A

b. If the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

1994 Chino Corona Farms, Thermal California
500 \$ a week

3. In the past twelve months have you received any money from any of the following sources?:

- | | |
|---|---|
| a. Business, profession or other self-employment | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| b. Rent payments, royalties interest or dividends | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| e. Social Security, disability or other welfare | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| f. Spousal or child support | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| g. Any other sources | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes" describe each source and state the amount received and what you expect you will continue to receive each month. 100 \$ which were confiscated

totally, I expect no more gifts.

4. Do you have any checking account(s)? ☐ Yes ☒ No

a. Name(s) and address(es) of bank(s): N/A

b. Present balance in account(s): N/A

5. Do you have any savings/IRA/money market/CDS' separate from checking accounts? ☐ Yes ☒ No

a. Name(s) and address(es) of bank(s): N/A

b. Present balance in account(s): N/A

6. Do you own an automobile or other motor vehicle? ☐ Yes ☒ No

a. Make: _____ Year: _____ Model: N/A

b. Is it financed? ☐ Yes ☐ No

c. If so, what is the amount owed? N/A

7. Do you own any real estate, stocks, bonds, securities, other financial instruments, or other valuable property?

☐ Yes ☒ No

If "Yes" describe the property and state its value. _____

8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support. _____

NONE

9. List any other debts (current obligations, indicating amounts owed and to whom they are payable): _____

10,000 \$ Restitution.

10. List any other assets or items of value (specify real estate, gifts, trusts inheritances, government bonds, stocks, savings certificates, notes, jewelry, artwork, or any other assets [include any items of value held in someone else's name]): _____

NONE

12. If you answered all of the items in #3 "No," and have not indicated any other assets or sources of income anywhere on this form, you must explain the sources of funds for your day-to-day expenses. _____

N-A

I declare under penalty of perjury that the above information is true and correct and understand that a false statement herein may result in the dismissal of my claims.

March 4, 2008
DATE

Victor Parra
SIGNATURE OF APPLICANT

TRUST ACCOUNT WITHDRAWAL AUTHORIZATION
(Incarcerated applicants only)

(This form **MUST** be completed by the prisoner requesting to proceed in forma pauperis. An incomplete "Trust Account Withdrawal Authorization Form," or "Prison Certificate" will result in automatic denial of the prisoner's request to proceed in forma pauperis.)

I, Victor Parra
VICTOR PARRA, request and authorize the agency holding me in
(Name of Prisoner/ CDC No.)
custody to prepare for the Clerk of the United States District Court for the Southern District of California, a certified copy of the statement for the past six months of my trust fund account (or institutional equivalent) activity at the institution where I am incarcerated.

I further request and authorize the agency holding me in custody to calculate and disburse funds from my trust fund account (or institutional equivalent) pursuant to any future orders issued by the Court relating to this civil action pursuant to the Prison Litigation Reform Act of 1995, Pub. L. No. 104-134, Title VIII, §§ 801-10, 110 Stat. 1321 (1996).

This authorization is furnished in connection with a civil action filed in the Southern District of California, and I understand that, pursuant to 28 U.S.C. §§ 1914 and 1915(b)(1), the total amount of filing fees for which I am obligated is either ☐ \$150 (civil complaint) or ☐ \$5 (habeas corpus petition) (check one). I also understand that this fee will be debited from my account regardless of the outcome of this action. This authorization shall apply to any other agency into whose custody I may be transferred.

March 4, 2008
Feb 21 2005

DATE

Victor Parra
Victor Parra

SIGNATURE OF PRISONER

REPORT ID: TS3030 .701

REPORT DATE: 03/03/08

PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
 R.J.DONOVAN CORR. FACILITY
 INMATE TRUST ACCOUNTING SYSTEM
 INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: OCT. 01, 2007 THRU MAR. 03, 2008

ACCOUNT NUMBER : P58682 BED/CELL NUMBER: F20600000000229U
 ACCOUNT NAME : PARRA JR, VICTOR ACCOUNT TYPE: I
 PRIVILEGE GROUP: D

TRUST ACCOUNT ACTIVITY

DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
10/01/2007		BEGINNING BALANCE					0.00
12/21*DD31		CHECK DEPOSIT 3147/POBOX			45.00		45.00

CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
10/17/2006	H110	COPIES HOLD	1584/OCT06	4.65
10/17/2006	H110	COPIES HOLD	1584/OCT06	1.95
10/18/2006	H110	COPIES HOLD	1593/AUG06	2.70
10/18/2006	H110	COPIES HOLD	1593/AUG06	3.10
10/18/2006	H110	COPIES HOLD	1593/AUG06	5.30
10/18/2006	H110	COPIES HOLD	1593/AUG06	7.20
10/18/2006	H110	COPIES HOLD	1593/AUG06	4.45
02/05/2007	H110	COPIES HOLD	3225/JAN07	2.20
02/05/2007	H110	COPIES HOLD	3225/SEP06	2.05
02/05/2007	H110	COPIES HOLD	3225/SEP06	6.50
02/05/2007	H110	COPIES HOLD	3225/SEP06	2.90
02/05/2007	H110	COPIES HOLD	3225/DEC06	1.75
02/05/2007	H110	COPIES HOLD	3225/DEC06	0.80
02/05/2007	H110	COPIES HOLD	3225/JAN07	2.30
02/13/2007	H110	COPIES HOLD	3367/JAN07	24.25
02/27/2007	H110	COPIES HOLD	3548/FEB07	2.10
03/28/2007	H110	COPIES HOLD	4041/FEB07	0.50
03/28/2007	H110	COPIES HOLD	4041/MAR07	1.70
04/20/2007	H110	COPIES HOLD	4373/MAR07	50.00
05/17/2007	H110	COPIES HOLD	4876/MAY07	1.45
05/17/2007	H110	COPIES HOLD	4876/MAY07	6.45
06/25/2007	H110	COPIES HOLD	5561/JUN07	3.30
06/25/2007	H110	COPIES HOLD	5561/JUN07	4.00
06/25/2007	H110	COPIES HOLD	5561/JUN07	1.70

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 10/06/99
 COUNTY CODE: RIV

CASE NUMBER: ICR20445
 FINE AMOUNT: \$ 10,000.00

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
------	--------	-------------	-------------	---------

10/01/2007 BEGINNING BALANCE

9,779.82

REPORT ID: TS3030 .701

REPORT DATE: 03/03/08

PAGE NO: 2

R.J.DONOVAN CORR. FACILITY
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: OCT. 01, 2007 THRU MAR. 03, 2008

ACCT: P58682 ACCT NAME: PARRA JR, VICTOR ACCT TYPE: I

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 10/06/99

CASE NUMBER: ICR20445

COUNTY CODE: RIV

FINE AMOUNT: \$ 10,000.00

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
12/21/07	DR31	REST DED-CHECK DEPOSIT	50.00-	9,729.82

* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT *

* IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. *

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	45.00	0.00	45.00	143.30	0.00

CURRENT
AVAILABLE
BALANCE

98.30-



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE
ATTEST: 3-03-08
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY R. Gar
TRUST OFFICE